

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
OPERATING PERMIT TECHNICAL REVIEW DOCUMENT**

**Permitting and Compliance Division  
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Sidney Sugars Incorporated  
NW ¼, NW ¼, Section 34, Township 23 North, Range 59 East, Richland County  
RR1, Box 3011  
Sidney, MT 59270

The following table summarizes the air quality programs testing, monitoring, and reporting requirements applicable to this facility.

<b>Facility Compliance Requirements</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Source Tests Required	X		Method 5, 6, and 9
Ambient Monitoring Required		X	
COMS Required		X	
CEMS Required		X	
Schedule of Compliance Required		X	
Annual Compliance Certification and Semiannual Reporting Required	X		Semiannual and Annual
Monthly Reporting Required		X	
Quarterly Reporting Required		X	
<b>Applicable Air Quality Programs</b>			
ARM Subchapter 7 Preconstruction Permitting	X		Permit #1826-10
New Source Performance Standards (NSPS)	X		40 CFR 60, Subpart Y
National Emission Standards for Hazardous Air Pollutants (NESHAPS)		X	Except 40 CFR 61, Subpart M
Maximum Achievable Control Technology (MACT)		X	
Major New Source Review (NSR)/ Prevention of Significant Deterioration (PSD)	X		Major Source, but permitting requirements have not been triggered
Risk Management Plan Required (RMP)		X	
Acid Rain Title IV		X	
Compliance Assurance Monitoring (CAM)	X		Appendix E of OP1826-05
State Implementation Plan (SIP)	X		General SIP

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## SECTION I. GENERAL INFORMATION

### A. Purpose

This document establishes the basis for the decisions made regarding the applicable requirements, monitoring plan, and compliance status of emission units affected by the operating permit proposed for this facility. The document is intended for reference during review of the permit by the EPA and the public. It is also intended to provide background information not included in the operating permit and to document issues that may become important during modifications or renewals of the permit. Conclusions in this document are based on information provided in the original application submitted by Holly Sugar Corporation on March 21, 1995. Additional submittals were provided on September 11, 1995, July 28, 1998, and August 18, 1999, for issuance of Permit #OP1826-00; November 2, 2000, for issuance of Permit #OP1826-01; May 2, 2000, October 2, 2001, November 20, 2001, January 11, 2002, and February 1, 2002, for issuance of Permit #OP1826-02; October 18, 2002, for Permit #OP1826-03; September 29, 2003, and October 29, 2003, for Permit #OP1826-04, and January 26, 2005, for Permit #OP1826-05.

### B. Facility Location

The Sidney Sugars Incorporated sugar factory is located east of the town of Sidney in Richland County, Montana.

### C. Facility Background Information

#### Montana Air Quality Permit Background

On May 2, 1984, Holly received **Permit #1826** for the conversion of the two existing CE boilers from gas and oil fired to coal fired. The company was required to receive a permit due to changes in emissions for the different fuel sources.

On March 29, 1993, Holly received **Permit #1826-01** for removal of a permit condition limiting the ash content of the lignite coal burned in their two CE boilers. This modification had no effect on emissions since the existing particulate and SO<sub>2</sub> emission limitations and production limitations would not be changed. Increased testing, monitoring, and reporting requirements were imposed to demonstrate compliance.

On January 6, 1995, Holly received **Permit #1826-02** to correct errors that existed in Permit #1826-01. The language limiting the hours of operation of the entire plant was changed to correctly state that the limitation applies to the CE boiler and associated coal handling equipment. Another change was to reference the appropriate rules which determine the maximum emissions from the other boilers and dryers at differing performance loads. Also, references to the applicable rules, which were used to determine the conditions or limitations, were added to the permit. The corrections did not cause a change in the allowable or actual emissions at the facility. A summary of some of the changes follows.

1. The section listing limitation for the CE boilers was changed to identify that the CE boilers were limited to 180 days of operation. The previous permit had incorrectly stated the entire facility was subject to the limitation. The limitation was included as part of Permit #1826 and should have been specific to the CE boilers and coal handling equipment since this equipment was the only equipment reviewed as part of the original permit application.
2. The limitation for the dryers was incorrectly stated in Permit #1826-01. The condition was rewritten to identify the equations, which must be used by the facility to determine allowable emissions from the dryers.

On June 10, 1995, Holly was issued **Permit #1826-03** to authorize the construction of sugar silos #7 through #16, which was to allow for additional sugar storage on site. The equipment also included sugar handling equipment and a conditioner silo #6. Each sugar silo would have a filter vent to control emissions from loading and unloading. The conditioner silo #6 would vent to silo #7 and emissions will be controlled by the silo #7 filter vent.

On April 14, 1996, Holly was issued **Permit #1826-04** to extend the operating schedule of the coal handling equipment at the facility. Previously, the permit had limited the operation of the CE boilers and the coal handling equipment to 180 days per year. Holly determined that they could meet their needs with only one CE boiler operating and need the flexibility to extend their campaign beyond the 180-day limit. Therefore, Holly requested that the operating limit on the coal handling equipment be increased to 360 days per year. To ensure there was no increase in the allowable particulate emissions from the coal handling equipment, Holly requested that the emission limit from the coal handling baghouse be reduced from 0.02 gr/dscf to 0.01 gr/dscf. Actual emissions from the coal handling facility were not expected to change because the total amount of coal handled at the facility did not change.

Holly also requested, and the Department agreed, that the following testing requirements be removed: 1) The requirement to test the Union boilers and the pulp dryers for SO<sub>2</sub>; the permit contained no limits for SO<sub>2</sub> emissions from these sources and it was not reasonable to require Sidney Sugars to test for the sake of information gathering. 2) The requirement to perform compliance tests for opacity on the sugar silos. The silo vents are located inside small enclosures on top of the silos. The exhaust exits the enclosure through various openings such as the door seals and it would be difficult to perform a compliance test on each opening. The opacity limit on the silo emissions is not affected by this action.

On February 28, 1998, Sidney Sugars Incorporated was issued **Permit #1826-05** to remove the particulate and opacity testing requirements for the two Union boilers. Previously, Holly was required to test the Union boilers for particulate and opacity because the boilers could be fired with natural gas or fuel oil. However, Holly requested that these testing requirements be removed because the boilers are fired almost exclusively on natural gas. Fuel oil is used only during emergency gas curtailments, for less than 30 days per year. With natural gas as the primary fuel, Holly is expected to be in compliance with the opacity and particulate emission limits. If it is determined that Holly is using more fuel than expected, the Department may require testing. This change did not increase the facility's allowable or potential emissions.

On July 28, 1998, Holly was issued **Permit #1826-06** for the addition of a pebble lime hopper, which would use a pneumatic loading system when lime is loaded into the hopper. This permit alteration also clarified the language limiting total annual hours of operation for each CE boiler. This change increased the facility's actual emissions of PM and PM-10 by less than 1.5 tons for each pollutant.

On February 26, 1999, Holly was issued **Permit #1826-07** to increase the throughput capacity of the pebble lime hopper. This increase was necessary to handle the variable quality of beets being processed. Particulate emissions increased by 13.51 tpy as a result of this permitting action. The increase in emissions resulting from the additional throughput will occur during pneumatic loading from the truck. The tank air vent will be ducted directly to the slaker building vent baghouse via a 10" duct. This is an existing baghouse on the slaker building and no new equipment was installed to perform the increased throughput. Also included in the permit alteration was clarification of some of the permit conditions. The language for the particulate matter and SO<sub>2</sub> conditions concerning the CE boilers were changed to indicate the original intent of the conditions. The language concerning the pulp dryer particulate limits was clarified by indicating it applied to each pulp dryer (#1 and #2) rather than both.

As a result of Notice of Violation (NOV), EK99-02, an extensive review revealed that Holly's replacement of the facility's diffuser required a permit alteration. On August 18, 1999, Holly submitted an application for the increase in emissions resulting in down stream units from the new diffuser.

Affected down-stream units include both pulp dryers, the dry pulp cyclone, the pellet cooler cyclone and the pellet tank fan. The resulting increase in allowable PM and PM-10 emissions was 14.06 tons per year (tpy) and 11.60 tpy, respectively. The following conditions were added to **Permit #1826-08** to ensure PSD significant levels would not be violated in the future:

1. Each dryer process rate (to include molasses) shall not exceed 114,192 tons during any one campaign. Holly shall maintain a daily log with a cumulative total of the current campaign production. This log shall be maintained on site, made available to Department personnel during facility visits, and submitted to the Department upon request.
2. Holly shall install, operate, and maintain a weighing device on each dryer to verify the process rate and to demonstrate compliance with the process rate limitation.
3. Each dryer is limited to burning natural gas only, except during emergency curtailment situations. Holly shall record in a log anytime fuel other than natural gas is combusted in the dryers. The log must be maintained on site, contain the date, time, type, and quantity of fuel fed into the dryers, and must be submitted to the Department upon request

On November 20, 2001, the Department issued **Permit #1826-09** to Holly. The administrative amendment included Holly's request to add the following language to permit condition II.A.16: "In the event of weigh device malfunction, Holly shall use an alternative monitoring method approved by the Department." Permit #1826-09 replaced Permit #1826-08.

The alteration to Permit #1826-09 involved the installation and operation of a Superior Mohawk natural gas-fired boiler and the removal of a Cleaver Brooks natural gas-fired boiler. This permitting action also reflected the relocation of the Sly filter baghouse which was approved by the Department on May 2, 2000. The Sly Filter baghouse was moved from the sugar handling and storage area to Silos 1-4. The dust from the sugar handling and storage area was routed to the existing MAC baghouse, which vents inside the sugar warehouse. The change is considered de minimis as described in ARM 17.8.705 (1)(r) because the potential emissions are less than 15 tons/year and the proposal did not violate any conditions of the existing permit. **Permit #1826-10** replaced Permit #1826-09.

### **Title V Operating Permit Background**

Permit **#OP1826-00** was issued as final on May 26, 2000. On correspondence dated November 02, 2000, Holly submitted a request for modification to Permit #OP1826-00. The Sidney factory purchases pipeline quality natural gas that contains sulfur levels below the 50 grains per 100 cubic feet limit. This modification requested that in place of a supplier's certification of the gas sulfur content that only pipeline quality natural gas is fired for the Union Pacific boilers, Cleaver Brooks boiler, and pulp dryers. In addition, Holly requested to obtain a certification from the oil supplier or to sample each shipment of fuel oil delivered to the factory and have a laboratory analysis performed to determine sulfur content for the Union Pacific boilers and pulp dryers. Permit **#OP1826-01** replaced Permit #OP1826-00.

The modification of Permit #OP1826-01 includes the relocation of the Sly filter baghouse which was a de minimis change which occurred on May 2, 2000. The Sly Filter baghouse was moved from the sugar handling and storage area to Silos 1-4. Sly Filter baghouse emissions will remain the same as estimated in Permit #OP1826-00. The dust from the sugar handling and storage area was routed to the existing MAC baghouse, which vents inside the sugar warehouse. Therefore, Section L for EU023 – Sugar Handling and Storage was removed from the permit. Also, silos 1-4 and the Sly Filter Baghouse were added to the insignificant emission units as IEU046.

On November 20, 2001, the Department issued an administrative amendment which reflected Holly's request to add the following language to permit condition II.A.16: "In the event of weigh device malfunction, Holly shall use an alternative monitoring method approved by the Department." This amendment is included in the current permit modification.

On February 1, 2002, Holly requested approval to install and operate a continuous vacuum pan to improve efficiency of extracting pure granulated sugar from the thick juice, which comes from the evaporator. The amount of material (juice) sent to the pan floor is limited by the factory evaporator capacity. The juice is boiled in the pans to produce a pure sugar product and a molasses by-product. The continuous vacuum pan will allow additional sugar extraction from the juice. Therefore, some of the sugar that would be lost to molasses is instead refined into pure sugar, which is sent to the silos. The vacuum pan is not an emitting unit, and potential to emit from the additional sugar production handling and storage would be approximately 1.6 tons per year. The existing sugar handling equipment will accommodate the additional sugar without modification, and the increase in emissions falls within the de minimis rule.

The Department received a preconstruction permit application on January 11, 2002, for the installation and operation of a Superior Mohawk natural gas-fired boiler and the removal of a Cleaver Brooks natural gas-fired boiler. This alteration is also included in this permit modification. Permit **#OP1826-02** replaced Permit #OP1826-01.

The Department issued Permit **#OP1826-03** final and effective on December 9, 2002. The permit action was an administrative amendment to Permit #OP1826-02. The Department received a request on October 18, 2002, from Sidney Sugars Incorporated to change the name of the Sidney, Montana facility from Holly Sugar Corporation to Sidney Sugars Incorporated. The Department also updated the responsible official and the contact person. Permit #OP1826-03 will replace Permit #OP1826-02.

On September 29, 2003, the Department received a request from Sidney Sugars to update the facility's Title V Air Quality Permit #OP1826-03 so the permit language would be consistent with the new rules for the compliance certifications. On October 29, 2003, the Department received a request from Sidney Sugars to update the responsible official. Permit **#OP1826-04** replaced Permit #OP1826-03.

#### **D. Current Permit Action**

On January 26, 2005, the Department received a renewal application from Sidney Sugars. The application was deemed administratively and technically complete on February 24, 2005. Operating Permit #OP1826-05 replaces Operating Permit #OP1826-04.

#### **E. Taking and Damaging Analysis**

HB 311, the Montana Private Property Assessment Act, requires analysis of every proposed state agency administrative rule, policy, permit condition or permit denial, pertaining to an environmental matter, to determine whether the state action constitutes a taking or damaging of private real property that requires compensation under the Montana or U.S. Constitution. As part of issuing an operating permit, the Department is required to complete a Taking and Damaging Checklist. As required by 2-10-101 through 105, MCA, the Department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications. The checklist was completed on February 7, 2002.

## **F. Compliance Designation**

Department files indicate that Holly tested the two CE Boilers initially in 1984. Further testing at the facility included testing of the two CE boilers, two Union Pacific boilers, and the two pulp dryers in 1993. These tests all showed compliance with the permit limitations contained in Holly's preconstruction permit. In the fall of 1996, Holly performed testing on the two CE boilers, two Union Pacific boilers, and the two pulp dryers. These testing results were rejected because of errors, missing required information, and questions regarding validity of the data presented in the source test report. Holly then re-tested the boilers and dryers in the fall of 1997 and demonstrated compliance with the permit conditions.

On February 24, 1999, Eric Kopczynski performed an annual inspection of the facility. During the inspection, Eric observed for the first time the new diffuser. Further inquiry indicated that the new diffuser has a design rate of 8000 tons per day (tpd) beet slice whereas the old diffuser was rated at 4000 tpd. Based on this fact, an informal Notice of Violation (NOV) was issued on April 18, 1999. The NOV was issued for not submitting a permit application and for violating PSD rules.

After further review, it was determined that Holly should have submitted an application for the installation of the new diffuser, which resulted in an increase in emissions in downstream units. However, based on production information submitted by Holly, it was determined that no violation of PSD rules occurred. A new preconstruction permit was issued to Holly containing limits for the process rate to the Pulp Dryer (downstream unit), which will insure no future violation of PSD significance levels. After reviewing the documents on file with the Department, Holly is in compliance with their permit.

## **SECTION II. SUMMARY OF EMISSION UNITS**

### **A. Facility Process Description**

This facility processes sugar beets for the production of sugar. Sugar beets are received at the plant by truck and are screened for dirt and rock removal. The beets are then either fed into the plant or stockpiled to be processed at a later time. Processing of the beets begins by first washing any residual dirt from the beets and slicing them into log thin strips referred to as cossettes. The cossettes are run into a diffuser where the beet sugar is removed with water and heat. The juice goes through several purifying stages and then is sent to the evaporators, which remove the liquids and allow crystallization. A total of two by-products of this process are molasses and pulp, which at the Sidney plant are mixed together to create pellets that are sold as livestock feed. Shipment of the sugar from the facility is completed by both rail and truck.

### **B. Emission Units and Pollution Control Device Identification**

The following table lists the significant emission units located at the Sidney Sugars facility.

	<b>Description</b>	<b>Pollution Control Device/Practice</b>
EU001	#1 combustion engineering (CE) lignite coal-fired boiler	Anderson 2000 Inc. Venturi scrubber and separator
EU002	#2 combustion engineering (CE) lignite coal-fired boiler	Anderson 2000 Inc. Venturi scrubber and separator
EU003	Union Pacific natural gas/fuel oil-fired boiler	none
EU005	Union Pacific natural gas/fuel oil-fired boiler	none
EU007	Superior Mohawk natural gas-fired boiler	none
EU022	Coal Handling and Storage - Coal Belt Feeders (2) - Coal Screw Conveyors (4)	Pulse jet bag house

	Description	Pollution Control Device/Practice
	<ul style="list-style-type: none"> <li>- Crusher</li> <li>- Coal Elevator</li> <li>- Coal Bunker</li> </ul>	
EU024A&B	#1 Stearns-Roger Pulp Dryer 95 MMBtu/hr	Cyclones
EU025A&B	#2 Stearns-Roger Pulp Dryer 95 MMBtu/hr	Cyclones
EU026A&B	Dry Pulp Handling Screw Conveyors (18)	Dry Cyclone Separator
EU030	Pellet Mills and Cooler <ul style="list-style-type: none"> <li>- Pellet Mills (4)</li> <li>- Pellet Cooler</li> </ul>	Cyclone
EU031	Pellet Tank Exhaust Fan <ul style="list-style-type: none"> <li>- Mechanical Conveyors (3)</li> <li>- Oscillating Pellet Screen</li> <li>- Pneumatic Conveyor (2)</li> <li>- Pellet Tank</li> </ul>	none
EU043A	Slaker Building Vent <ul style="list-style-type: none"> <li>- Pebble Lime Hopper</li> <li>- Lime Kiln Pan Feeder</li> </ul>	Baghouse
EU020	Granulator	Wet Scrubber
EU027	Weibul Conditioner System	Fabric Filter
EU028	Reclaiming sugar from silos and packaging (Hoffman Vent)	Cyclone and Bag Filter
EU047-056	Sugar Silos	Filter Vents
EU101	Beet Unloading and Handling <ul style="list-style-type: none"> <li>- Wet Flume Hopper (2)</li> <li>- Beet Pilers (on site)</li> </ul>	none
EU102	Coal Unloading <ul style="list-style-type: none"> <li>- Truck Hoppers (2)</li> </ul>	none
EU103	Coke Unloading and Handling <ul style="list-style-type: none"> <li>- Railcar Unloader (belt conveyor)</li> <li>- Bucket Elevator</li> <li>- Coke Vibrating Feeder</li> </ul>	none
EU104	Lime Unloading and Handling <ul style="list-style-type: none"> <li>- Railcar Unloader (belt conveyor)</li> <li>- Limerock Reciprocating Feeder</li> <li>- Limerock Covered Belt Conveyor</li> <li>- Limerock Scalping Screen</li> <li>- Limerock Vibrating Feeder</li> <li>- Belt Conveyors (2)</li> </ul>	none
EU108	Mud Pond Cleaning/Handling	none
EU109	Boiler ash Pond Cleaning/Handling	none
EU110	PCC Pond Cleaning/Handling	none
EU500	Haul Roads	Water

### C. Categorically Insignificant Sources/Activities

The following table lists insignificant emission units located at the Sidney Sugars facility.

Emissions Unit ID	Description
IEU004	Steam Vent Blowdown Tank Vent
IEU006	Boiler Feed Tank Vent
IEU008A, B, & C	Boiler Safety Vents
IEU009	Exhaust Steam Vents
IEU010	Generator Turbine Relief Vents
IEU011, IEU029 A & B, IEU046	Extraction & Purification Ammonia Vents
IEU012A, B, C & D	Pulp Dryer Building Roof Vent
IEU013A, B, C, D & E	Dried Pulp Warehouse Roof Vents
IEU014	Kiln Draft Fan
IEU015A & B	Kiln Building Vent Fans
IEU016	Oliver Building Vent
IEU17A, B, & C	Diffuser Roof Vents
IEU018A & B	Diffuser Vapor Vents
IEU019A, B, & C	Control House Roof Vents
IEU021	Slaker Building Wet Scrubber
IEU032	Maintenance Shop Vent
IEU033	Oliver Vacuum Pump Vent
IEU034	Sidney Carb Vent
IEU035A, B, & C	Benning Vent, Evaporator Supply Tank Vent, and Diffuser Supply Tank
IEU036	Suction for Oliver Air Compressor
IEU037	Second Carb Vent
IEU038	Dorr Tank Vent
IEU039	Press Steam Vapor Vent
IEU040	Oliver Wet Scrubber
IEU041	Wash House Roof Vent
IEU042	Oliver Roof Vent
IEU043B	Slaker Building Vent
IEU044	Tower Diffuser Vapor Vent
IEU045	Mixer Building Roof Vent
IEU046	Silos #1 to #4 and Sly Filter Baghouse

### **SECTION III. PERMIT CONDITIONS**

#### **A. Emission Limits and Standards**

Emission limits and standards for Operating Permit #OP1826-05 was established from limits and standards contained in Sidney Sugars' Preconstruction Permit #1826-10.

#### **B. Monitoring Requirements**

ARM 17.8.1212(1) requires that all monitoring and analysis procedures or test methods required under applicable requirements are contained in operating permits. In addition, when the applicable requirement does not require periodic testing or monitoring, periodic monitoring must be prescribed that is sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit.

The requirements for testing, monitoring, recordkeeping, reporting, and compliance certification sufficient to assure compliance do not require the permit to impose the same level of rigor for all emissions units. Furthermore, they do not require extensive testing or monitoring to assure compliance with the applicable requirements for emission units that do not have significant potential to violate emission limitations or other requirements under normal operating conditions. When compliance with the underlying applicable requirement for a insignificant emissions unit is not threatened by lack of regular monitoring and when periodic testing or monitoring is not otherwise required by the applicable requirement, the status quo (**i.e., no monitoring**) will meet the requirements of ARM 17.8.1212(1). Therefore, the permit does not include monitoring for insignificant emission units.

The permit includes periodic monitoring or recordkeeping for each applicable requirement. The information obtained from the monitoring and recordkeeping will be used by the permittee to periodically certify compliance with the emission limits and standards. However, the Department may request additional testing to determine compliance with the emission limits and standards.

#### **C. Test Methods and Procedures**

The operating permit may not require testing for all sources if routine monitoring is used to determine compliance, but the Department has the authority to require testing if deemed necessary to determine compliance with an emission limit or standard. In addition, the permittee may elect to voluntarily conduct compliance testing to confirm its compliance status.

#### **D. Recordkeeping Requirements**

The permittee is required to keep all records listed in the operating permit as a permanent business record for at least five years following the date of the generation of the record.

#### **E. Reporting Requirements**

Reporting requirements are included in the permit for each emissions unit and Section V of the operating permit "General Conditions" explains the reporting requirements. However, the permittee is required to submit semi-annual and annual monitoring reports to the Department and to annually certify compliance with the applicable requirements contained in the permit. The reports must include a list of all emission limit and monitoring deviations, the reason for any deviation, and the corrective action taken as a result of any deviation.

## F. Public Notice

In accordance with ARM 17.8.132, a public notice was published in the Paper newspaper on or before November 12, 2005. The Department provided a 30-day public comment period on the draft operating permit from November 21, 2005, to December 21, 2005. ARM 17.8.1232 requires the Department to keep a record of both comments and issues raised during the public participation process. The comments and issues received by Date will be summarized, along with the Department's responses, in the following table. All comments received during the public comment period will be promptly forwarded to Sidney Sugars so they may have an opportunity to respond to these comments as well.

### Summary of Public Comments

Person/Group Commenting	Comment	Department Response
Alexandra Gorman - Women's Voices for the Earth	<p>Section III Part B.13 explains the calculation to determine compliance with the hourly fuel consumption limit of 17.4 tons/hr.</p> <p>The calculation is stated as: tons of coal = pounds of steam * ((X/100) * (1/24)).</p> <p>Confusion why the ratio (X) is then expressed as a percentage (by being divided by 100) - it seems to me that the result of this equation would be tons of coal expressed as a percentage (or tons of coal per hour divided by 100). Thus resulting in a fuel consumption amount 100 times smaller than the actual amount consumed - which would not accurately reflect compliance with the hourly fuel consumption.</p> <p>This calculation should be corrected to result in an answer that can be used to determine compliance with the hourly consumption limit.</p>	Calculation was clarified and revised.
	<p>In Section III, B. 17, the condition should indicate which pollutants are being monitored by the CAM plan. Specifically, this condition should state that "Sidney Sugars shall monitor compliance for PM and SO2 bu following..." Also, the last sentence of this section contains a typo. It states "...and is available upon request by the Department of facility...".</p>	Language corrected.

Person/Group Commenting	Comment	Department Response
	In the Technical Review Document, Section V Future Permit Considerations, it states that the only NESHAP that Sidney Sugars is subject to is 40 CFR 61 for Asbestos. Why are they not also subject to the newly promulgated 40 CFR 63 Subpart DDDDD for HAPs from industrial boilers? Sidney Sugars does report releases of over 200,000 pounds of HAPs to the Toxic Release Inventory (TRI), including mercury, lead and dioxin, all of which are a concern to public health (and thus a concern to Women's Voices for the Earth). If this facility is subject to additional controls that could reduce these emissions, they should be applied. If Sidney Sugars is not subject to this NESHAP, provide a brief explanation of why that is the case.	Sidney Sugars is not subject to Subpart DDDDD for HAPs. Sidney Sugars' PTE is less than 10 ton/year of any one HAP and less than 25 ton/year of all HAPs.  The pollutants reported to the TRI are not all regulated as HAPs. In the case of Sidney Sugars, the vast majority (over 95%) of the 200,000 pounds of pollutants referenced in the comment is ammonia or zinc compounds, which are not regulated HAPs.

## G. Draft Permit Comments

### Summary of Permittee Comments

Permit Reference	Permittee Comment	Department Response
Section II Summary of Emission Units	EU108, EU109, and EU110 should be deleted from this table as they have been determined to be "Insignificant Emitting Units".	Units removed from table.
Section III Permit Conditions A. Facility Wide	Need to add A.17 to Table, reference to Asbestos Abatement Annual Permit.	A.17 added to table.
Section III Permit Conditions A. Facility-Wide, Conditions	Need to insert A.13 from previous Table, to identify any specific conditions on Hydrocarbon Emissions, Petroleum Products. Re-number A.13 through A.16 items as A.14 through A.17.	A.13 added and table condition renumbered.
Section III Permit Conditions B. EU001 and EU002, Reporting	Need to delete the word "lignite" in B.26.b.	"Lignite" deleted.
Section III Permit Conditions N. EU047-EU056	Need to change, globally within this section (section N), "connection between silo #6 and #7" to "connection between silo #6 and #9".	Language changed.
E-3, Enhanced Monitoring Approach Table	Need to change "id" to "is" in table, Indicator No. 2-E, A. General Criteria, 3. Indicator Range.	Corrected.

### Summary of EPA Comments

Permit Reference	EPA Comment	Department Response

## SECTION IV. NON-APPLICABLE REQUIREMENT ANALYSIS

Rule Citation	Reason
40 CFR 51.119 40 CFR 51.165 40 CFR 51.166 40 CFR 51.300-307 40 CFR 51, Appendix P 40 CFR 51, Appendix S 40 CFR 52.21 40 CFR 52.22(b) 40 CFR 52.24 40 CFR 52.29 40 CFR 58, Appendix B 40 CFR 62 40 CFR 70 and 71	<p>Although these rules contain requirements for the regulatory authorities and not major sources, these rules can be used as authority to impose specific requirements on major sources.</p>
40 CFR 61, Subpart M 40 CFR 82, Subpart F	<p>These rules are always applicable and may contain specific requirements for compliance.</p>
ARM 17.8.120 ARM 17.8.204 ARM 17.8.326 ARM 17.8.330 ARM 17.8.504 ARM 17.8.514 ARM 17.8.515 ARM 17.8.611 ARM 17.8.612 ARM 17.8.701 ARM 17.8.804 ARM 17.8.825 ARM 17.8.826 ARM 17.8.828 ARM 17.8.901 ARM 17.8.1001 ARM 17.8.1103	<p>These rules may be procedural rules that have specific requirements that may become relevant to a major source during the permit span.</p> <p>These rules may be applicable to a major source and may contain specific requirements of compliance.</p> <p>These rules may consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.</p>

## **SECTION V. FUTURE PERMIT CONSIDERATIONS**

### **A. MACT Standards**

As of the issuance date of Permit #OP1826-05, the Department is unaware of any future MACT Standards that may be promulgated that will affect this facility.

### **B. NESHAP Standards**

As of November 21, 2005, the Department is not aware of any NESHAP standards that are applicable to this facility, except for 40 CFR 61, Subpart M for Asbestos.

### **C. NSPS Standards**

As of November 21, 2005, the Department is aware of only one NSPS standard that is applicable to this facility. The coal-fired boilers were installed prior to August 17, 1971; therefore, 40 CFR 60, Subpart D does not apply. The coal operations at the Sidney Sugars facility do meet the definition of a coal preparation plant, therefore, 40 CFR 60, Subpart Y does apply.

### **D. Risk Management Plan**

As of this date (11/21/2005), this facility does not exceed the minimum threshold quantities for any regulated substance listed in 40 CFR 68.115 for any facility process. Consequently, this facility is not required to submit a Risk Management Plan.

If a facility has more than a threshold quantity of a regulated substance in a process, the facility must comply with 40 CFR 68 requirements no later than June 21, 1999; three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or the date on which a regulated substance is first present in more than a threshold quantity in a process, whichever is later.